

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:16-CV-143-MOC-DCK**

MICHAEL L. SEALY and SHELLY N. SEALY,)

Plaintiffs,)

v.)

**FAY SERVICING, LLC; OCWEN MORTGAGE
SERVICING, INC.; and CHRISTIANA TRUST,**)

Defendants.)

ORDER

THIS MATTER IS BEFORE THE COURT *sua sponte* regarding the status of the case and the parties' compliance with the Court's most recent "Order" (Document No. 18). This case has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate.

On November 28, 2016, the undersigned ordered that "the parties shall file a Notice identifying their chosen mediator and mediation date, on or before **December 15, 2016.**" (Document No. 18, p.5). In addition, that Order "respectfully advised" Plaintiffs "that failure to abide by this Order or the Rules of this Court, and/or Plaintiffs' continued dilatory conduct, may lead to additional sanctions including dismissal of this lawsuit." (Document No. 18, p.4).

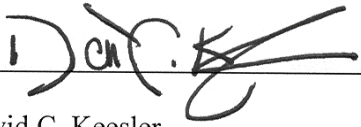
To date, neither party has filed a Notice as ordered by the Court, and the time to do so has lapsed.

IT IS, THEREFORE, ORDERED that the parties shall file a Notice, jointly if possible, on or before **January 6, 2017** that identifies their chosen mediator and mediation date.

IT IS FURTHER ORDERED that the parties' Notice(s) shall provide an explanation for why the Court's previous Order was not followed, and **SHOW CAUSE** why sanctions should not issue against both parties and/or their counsel.

SO ORDERED.

Signed: January 3, 2017



David C. Keesler
United States Magistrate Judge

